

at least Figs. 1(b) and 11, as originally filed, show a first ceramic substrate having a first thickness, and a second ceramic substrate provided with an opening and having a second thickness larger than the first thickness, as recited in claim 8. The July 17 Amendment merely amends Figs. 1(b) and 11 to label the substrate thickness as "a" and "b" to further clarify this feature, as requested by the Examiner. Furthermore, the specification was amended to be consistent with the changes to the drawings.

Merely labeling the thicknesses does not constitute adding new matter. That is, Figs. 1(b) and 11 as originally filed already disclose the two substrates 1a and 1b having different thicknesses. Accordingly, no new matter was added.

The Examiner's attention is respectfully directed to MPEP 2163(6)-(7), for example. The MPEP requires that when an amendment is filed in reply to an objection or rejection based on 35 U.S.C. §112, first paragraph, a study of the entire application is necessary to determine whether or not new matter is involved. Applicants submit that, upon review of the entire application, including Figs. 1(b) and 11, no new matter was introduced in the July 17 Amendment. That is, the drawings as originally filed is part of the entire application. Accordingly, the amendments which clarify this disclosed features are not new matter.

As indicated in MPEP 2163.07, amendments to an application which are supported in the original description are NOT new matter. Accordingly, Applicants request withdrawal of the objection to the July 17 Amendment under 35 U.S.C. §132.

The Office Action rejects claims 1-6, 8, 10-13 and 15-22 under 35 U.S.C. §103(a) over Negita (GB 2002-955) in view of Nagai (U.S. Patent No. 4,405,875). This rejection is respectfully traversed.

As admitted by the Office Action, Negita does not disclose any opening in the housing 8. Furthermore, Nagai also does not disclose or suggest a first ceramic substrate having a first thickness, and a second ceramic substrate provided with the opening and having a second thickness larger than the first thickness, the second ceramic substrate being laminated on the first ceramic substrate, as recited in claim 8. In fact, Nagai does not show any laminated substrate where the substrate provided with the window has a larger thickness. See Figs. 13A and 30 of Nagai, for example. Even if combined, Negita and Nagai do not disclose or suggest the features of claim 8.

Contrary to the teachings of Negita and Nagai, claim 8 recites a first ceramic substrate having a first thickness, and a second ceramic substrate provided with an opening and having a second thickness larger than the first thickness, the second ceramic substrate being laminated on the first ceramic substrate. As shown in Fig. 1(b) and 11, for example, the substrate 1b has a second thickness b larger than the thickness a of the substrate 1a. Thus, when the sealing element is heated, if the thickness of the substrate 1b is larger than the thickness of the substrate 1a, the thermal capacity of the substrate 1b may become large, and the movement of heat to the substrate 1a may become less, for example. As a result, heat may be efficiently conducted to the opening formed in the substrate 1b, for example. Furthermore, heat may be efficiently conducted to the sealing member 9, and the sealing performance may improve.

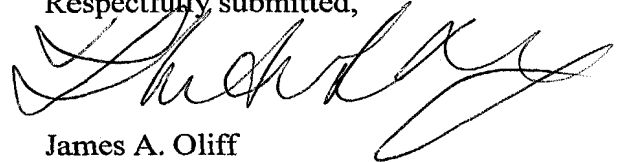
Due to the high temperature during sealing (200°C, more or less), a thermal stress may be generated in the substrates 1a and 1b. However, if the thickness of the substrate 1b is larger than the thickness of the substrate 1a, a stress resistance characteristic of the substrate 1b may improve and a crack may not be generated in the sealing portion formed in the substrate 1b. Therefore, at least the sealing performance will improve.

Negita and Nagai do not disclose or suggest such features. For at least the above reasons, claim 8 would not have been obvious over Negita and Nagai. Because claims 1-6, 10-13 and 15-22 depend from claim 8, claims 1-6, 10-13 and 15-22 also would not have been obvious over Negita and Nagai. Accordingly, Applicants request withdrawal of the rejection of claims 1-6, 8, 10-13 and 15-22 under 35 U.S.C. §103.

Applicants submit that the application is in condition for allowance. Prompt consideration and due allowance are earnestly solicited.

Should the Examiner believe anything further is desirable in order to place the application in even better condition for allowance, the Examiner is requested to contact Applicants' undersigned attorney at the telephone number listed below.

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